

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

UNITED STATES OF AMERICA

Case No. 1:22-cr-137

v.

Judge Atchley

THOMAS ELLIS, IV

Magistrate Judge Lee

ORDER

Magistrate Judge Susan K. Lee filed a report and recommendation recommending that the Court: (1) grant Defendant's motion to withdraw his not guilty plea as to Count One of the one-count Indictment; (2) accept Defendant's guilty plea as to Count One of the Indictment; (3) adjudicate the Defendant guilty of Count One of the Indictment; (4) order that Defendant remain in custody until sentencing in this matter [Doc. 24]. Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with Magistrate Judge Lee's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation [Doc. 24] pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not guilty plea as to Count One of the Indictment is **GRANTED**;
2. Defendant's plea of guilty to Count One of the Indictment is **ACCEPTED**;
3. Defendant is hereby **ADJUDGED** guilty of Count One of the Indictment; and

4. Defendant **SHALL REMAIN** in custody until sentencing in this matter, which is scheduled to take place on **July 27, 2023, at 10:00 a.m. [EASTERN]** before the undersigned.

SO ORDERED.

s/Charles E. Atchley, Jr.

**CHARLES E. ATCHLEY, JR.
UNITED STATES DISTRICT JUDGE**